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PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/045,685

Filing Date: November 7, 2001

Applicant: Barker, et al.

Group Art Unit: 1745

Examiner: To Be Assigned

Title: ALKALI/TRANSITION METAL HALO- AND HYDROXY-PHOSPHATES AND RELATED ELECTRODE ACTIVE MATERIALS

Attorney Docket: 4858-000213 CPC

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AUG -9 2002
TECHNOLOGY CENTER 1700Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231**INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION

The patents, publications and other information submitted for consideration by the Office (except unpublished U.S. patent applications) are listed on Form 1449 attached hereto.

II. COPIES

A. X Submitted herewith is a legible copy of (i) each U.S. patent application publication and U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; (iii) for each cited pending U.S. application, the application specification including the claims, and any drawing of the application which caused it to be listed including the claims directed to that portion; and (iv) all other information or that portion which caused it to be listed.

B. X Any patents, publications or other information which are listed on Form 1449 or on the copies of PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number

09/559,861

U.S. Filing Date

April 27, 2000

C. ___ This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search Report are listed on the attached Form-1449 for consideration by the Examiner and for listing on any patent resulting from this application. Since the International Search Report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application. (MPEP 1893.03(g))

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

A. X Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required).

B. X A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)):

1. ___ See the attached foreign patent office communication from a counterpart foreign application:

2. X English translations are provided for: JP 2001 085010; and
EP1049182

3. X Other: Abstracts of: JP 2001 052733; JP 09171827; JP 0625 1764;

C. ___ The following additional information is provided for the Examiner's consideration.

IV. CROSS REFERENCE TO RELATED APPLICATION(S)

A. ___ The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does(do) not waive the confidentiality provisions of 35 U.S.C. § 122.

Serial No.

Filing Date

Art Unit

V. THIS IDS IS BEING FILED UNDER

A. X 37 C.F.R. § 1.97(b): (check only one box)

1. ___ within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.

2. ___ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.

3. X before the mailing of a first Office Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below; or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

4. ___ before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No fee or certification is required.

B. ___ 37 C.F.R. § 1.97(c): (check only one box)

- before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution.

1. ___ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

2. ___ See the certification below. No fee is required.

C. ___ 37 C.F.R. § 1.97(d):

- after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.

1. ___ See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box)

The undersigned hereby certifies that:

A. ___ each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)). See further statement under 37 C.F.R. § 1.704(d) below in section VII, if applicable; or

B. ___ no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).

C. ___ Some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.

VII. STATEMENT UNDER 37 CFR 1.704(d)

The undersigned hereby states that:

___ each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. 1.56(c) more than thirty days prior to the filing of this IDS.

VIII. PAYMENT OF FEES (check only one box)

A. ___ A check in the amount of \$180.00 is enclosed for the above-identified fee.

B. ___ Please charge Deposit Account No. 22-0100 in the amount of \$180.00 for the above-indicated fee. A duplicate copy of this paper is attached.


The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 22-0100.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 22-0100.

Respectfully submitted,

Dated: 31 July 2002

By: 
David L. Suter
Reg. No. 30,692

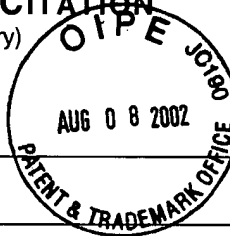
HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

FORM HDP-1449 (Based on Form PTO-1449)

PATENT AND TRADEMARK OFFICE
INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Sheet 1 of 8



ATTORNEY DOCKET No.

4858-000213/CPC

SERIAL No.

10/045,685

APPLICANT

J. Barker et al.

FILING DATE

November 7, 2001

GROUP

1745

U.S. PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
1.		3,736,184*	5/29/75	Dey et al.		
2.		4,009,092*	2/22/77	Taylor		
3.		4,049,891*	9/20/77	Hong et al.		
4.		4,098,687*	7/78	Yang		
5.		4,194,062	3/18/80	Carides et al.		
6.		4,260,668*	4/7/81	Lecerf et al.		
7.		4,434,216*	2/28/84	Joshi et al.		
8.		4,464,447	8/7/84	Lazzari et al.		
9.		4,477,541	10/16/84	Fraioli		
10.		4,512,905*	4/23/85	Clearfield et al.		
11.		4,668,595	5/26/87	Yoshino et al.		
12.		4,683,181*	7/28/87	Armand et al.		
13.		4,690,877*	9/1/87	Gabano et al.		
14.		4,707,422*	11/17/87	deNeufville et al.		
15.		4,792,504	12/20/88	Schwab et al.		
16.		4,803,137*	2/7/89	Miyazaki Tadaaki et al.		
17.		4,830,939	5/16/89	Lee et al.		
18.		4,925,752	5/15/90	Fauteux et al.		
19.		4,935,317	6/19/90	Fauteux et al.		
20.		4,985,317*	1/15/91	Adachi et al.		
21.		4,990,413	2/5/91	Lee et al.		

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22.		5,011,501	4/30/91	Shackle et al.		
23.		5,028,500	7/2/91	Fong et al.		
24.		5,037,712	8/6/91	Shackle et al.		
25.		5,130,211	7/14/92	Wilkinson et al.		
26.		5,232,794*	8/3/93	Krumpelt et al.		
27.		5,262,253	11/16/93	Golovin		
28.		5,262,548*	11/16/93	Barone		
29.		5,296,436*	3/22/94	Bortinger		
30.		5,300,373	4/5/94	Shackle		
31.		5,326,653	7/5/94	Chang		
32.		5,399,447	3/21/95	Chaloner-Gill et al.		
33.		5,411,820	5/2/95	Chaloner-Gill et al.		
34.		5,418,090	5/23/95	Koksbang et al.		
35.		5,418,091	5/23/95	Gozdz et al.		
36.		5,435,054	7/25/95	Tonder et al.		
37.		5,456,000	10/10/95	Gozdz et al.		
38.		5,460,904	10/24/95	Gozdz et al.		
39.		5,463,179	10/31/95	Chaloner-Gill et al.		
40.		5,482,795	1/9/96	Chaloner-Gill		
41.		5,508,130	4/16/96	Golovin		

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Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
42.		5,514,490*	5/7/96	Chen et al.		
43.		5,538,814	7/23/96	Kamauchi et al.		
44.		5,540,741	7/30/96	Gozdz et al.		
45.		5,541,020	7/30/96	Golovin et al.		
46.		5,620,810	4/15/97	Golovin et al.		
47.		5,643,695	7/1/97	Barker et al.		
48.		5,660,948	8/26/97	Barker		
49.		5,695,893	12/9/97	Arai et al.		
50.		5,700,298	12/23/97	Shi et al.		
51.		5,712,059	1/27/98	Barker et al.		
52.		5,804,335	9/8/98	Kamauchi et al.		
53.		5,830,602	11/3/98	Barker et al.		
54.		5,851,504	12/22/98	Barker et al.		
55.		5,869,207	2/9/99	Saidi et al.		
56.		5,871,866*	2/16/99	Barker et al.		
57.		5,910,382*	6/8/99	Goodenough et al.		
58.		6,004,697	12/21/99	Thackeray et al.		
59.		6,020,087	2/1/00	Gao		
60.		6,103,419	8/15/00	Saidi et al.		
61.		6,136,472	10/24/00	Barker et al.		

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U.S. PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
62.		6,153,333	11/28/00	Barker		
63.		6,183,718	2/6/01	Barker et al.		
64.		6,306,215	10/23/01	Larkin		

*Indicates submitted in parent case USSN 09/559,861 filed April 27, 2000.

FOREIGN PATENT DOCUMENTS

Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes	No
1.		JP 2001 085010	3/30/01	Japan		X	
2.		EP 1093172	4/18/01	EPO			
3.		JP 2001 052733	2/23/01	Japan		Abstract	
4.		WO 9930378 Corrected Version	6/17/99	WIPO			
5.		WO 9930378 Original Version	6/17/99	WIPO			
6.		WO 9812761	3/26/98	WIPO			
7.		WO 0001024	1/6/00	WIPO			
8.		EP 0 680 106 A1*	11/2/95	EPO			
9.		JP 61 263069*		Mizuno			
10.		WO 0057505*	9/28/00	WIPO			
11.		EP 0 849 817*	6/24/98	EPO			
12.		JP 09 171827*	6/30/97	Japan		Abstract	

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Sheet 5 of 8

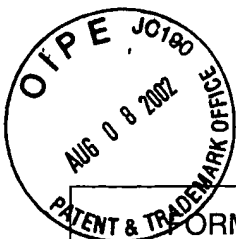
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						Yes	No	
13.		JP 0625 1764	9/9/94	Japan		Abstract		
14.		WO 00/31812	6/2/00	WIPO				
15.		WO 01/13443	2/22/01	WIPO				
16.		WO 01/54212	7/26/01	WIPO				
17.		WO 01/84655	11/8/01	WIPO				
18.		WO 01/53198	7/26/01	WIPO				
19.		EP 1049182	11/2/00	EPO	H01M 4/58			

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)		
Ref. Desig.	Examiner's Initials	
1.		Andersson, A., et al., Thermal stability of LiFePO4 – based cathodes, (2000), Electrochem. Solid-State Lett., 3(2), pp. 66-68
2.		Amine, K., et al., Olivine LiCoPO4 as 4.8 V Electrode Material for Lithium Batteries, (2000), Electrochem. Solid-State Lett., 3(4), pp. 178-179
3.		Kirkby, et al., Crystal Structure of Potassium Aluminum Fluoride Phosphate KA1FPO4, Zeits. Kristall. 956 (1995)
4.		Nagorny et al., Preparation and Structure of the New Fluoride Phosphate Na5CrF2(PO4)2, Russ. J. Inorg. Chem. 35, 470, (1990)
5.		Arlt, et al., Na5AlF2(PO4)2: Darstellung, Kristallstruktur und Ionenleitfähigkeit, Z. anorg. Allg. Chem. 547, 179 (1987)
6.		www.webmineral.com/data/Amblygonite.shtml
7.		www.webmineral.com/data/Lacroixite.shtml

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EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

Ref. Desig.	Examiner's Initials	
8.		www.webmineral.com/data/Montebrasite.shtml
9.		www.webmineral.com/data/Tavorite.shtml
10.		International Search Report for PCT/US97/15544.*
11.		Rangan et al., "New Titanium-Vanadium Phosphates of Nasicon and Langbeinite Structures, and Differences Between the Two Structures Toward Deintercalation of Alkali Metal," JOURNAL OF SOLID STATE CHEMISTRY, 109, (1994) p 116-121.*
12.		Delmas et al., "The Nasicon-Type Phosphates $\text{ATi}_2(\text{PO}_4)_3$ (A=Li, Na) as Electrode Materials," SOLID STATE IONICS (1988) 28-30 pp 419-423*
13.		Hagenmuller et al., "Intercalation in 3D-Skeleton Structures: Ionic and Electronic Features," MATERIAL RESOURCES SOCIETY SYMPOSIUM PROC., Vol. 210 (1991) pp 323-334.*
14.		Chem. Abstrs. Svs., (1997), XP 2048304*
15.		Padhi et al., "Lithium Intercalation into NASICON-Type Mixed Phosphates:...and $\text{Li}_2\text{FeTi}(\text{PO}_4)_3$; 37th Power Sources Conference: Cherry Hill, New Jersey, Conference Date: June 17-20, 1996, published October 15, 1996.*
16.		Sisler et al., "Chemistry A Systematic Approach," OXFORD UNIVERSITY PRESS, p 746, 1980.*
17.		Gopalakrishnan et al., " $\text{V}_2(\text{PO}_4)_3$: A Novel NASICON-Type Vanadium Phosphate Synthesized by Oxidative deintercalation of Sodium From $\text{Na}_3\text{V}_2(\text{PO}_4)_3$," CHEMISTRY OF MATERIALS, Vol. 4, No. 4, July/August 1992, pp 745-747*
18.		Delmas et al., "The Chemical Short Circuit Method, An Improvement in the Intercalation-Deintercalation Techniques," MATERIALS RESEARCH BULLETIN, Vol. 23, 1988, pp 65-72.*
19.		Ivanov-Schitz et al., "Electrical and Interfacial Properties of a $\text{Li}_3\text{Fe}_2(\text{PO}_4)_3$ Single Crystal With Silver Electrodes," SOLID STATE IONICS, 91, (1996), PP 93-99.*
20.		Cretin et al., "Study of $\text{Li}_{1+x}\text{Al}_x\text{Ti}_x(\text{PO}_4)_3$ for Li + Potentiometric Sensors," JOURNAL OF THE EUROPEAN CERAMIC SOCIETY 15, (1995), pp 1149-1156.*

Examiner:

Date Considered:

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FORM HDP-1449 (Based on Form PTO-1449)

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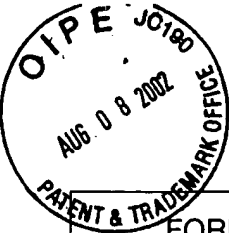
OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

Ref. Desig.	Examiner's Initials	
21.		Chem. Abstrs. Svs., (1995) XP 2048305*
22.		Patent Abstracts of Japan (1994) Vol. 18, No. 64, (Abstract for JP 06251764)
23.		Okada et al., "Fe ₂ (SO ₄) ₃ as a Cathode Material for Rechargeable Lithium Batteries," Center for Materials Science & Engineering, University of Texas, Austin Texas (no date of publication).*
24.		Adachi et al., "Lithium Ion Conductive Solid Electrolyte, "CHEMICAL ABSTRACTS 112 129692 (1981).*
25.		Delmas et al., "A Nasicon-Type Phase as Intercalation Electrode: Sodium Titanium Phosphate (NaTi ₂ (PO ₄) ₃)," MATERIAL RESOURCES BULLETIN (1987).*
26.		Nanjundaswamy et al., "Synthesis, Redox Potential Evaluation and Electrochemical Characteristics of NASICON-Related 3D Framework Compounds," SOLID STATE IONICS 92, (1996) pp 1-10.*
27.		Nadiri, "Lithium Intercalation in Lithium Titanium Phosphate (LiTi _x (PO ₄) ₃)," C.R. Acad. Sci., Ser. 2 (1987), 304 (9), pp 415-418 (no month available).*
28.		Cotton et al., "Advanced Inorganic Chemistry, 3rd Edition," INTERSCIENCE PUBLISHERS, pp 864-868 (no month available).*
29.		Linden, "Handbook of Batteries, 2 nd Edition, "MCGRAW-HILL, INC. pp 36.4-36.9. *
30.		Bykov et al., Superionic Conductors Li ₃ M ₂ (PO ₄) ₃ (M=Fe,Sc,Cr): Synthesis, Structure and Electrophysical Properties," SOLID STATE IONICS, Vol. 38 (1990) pp 31-52 (no month available).*
31.		Genkina, et al., "Crystal Structure of Synthetic Tavorite LiFe[PO ₄](OH,F)" Kristallografiya (1984), 29(1) 50-5. *
32.		Genkina, et al., "Phase formation and crystallochemistry of phosphates ..." Izv. Akad.*
33.		Dutreilh et al., Synthesis and Crystal Structure of a New Lithium Nickel Fluorophosphates Li ₂ [NiF(PO ₄)], Journal of Solid State Chemistry, 142, 1-5 (1999).*
34.		M-T Averbuch-Pouchot et al., Topics in Phosphate Chemistry; World Scientific Publishing Co., Singapore (1996); pgs. 106-119.*

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OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

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35.		Loiseau et al., NH ₄ FePO ₄ F: Structural Study and Magnetic Properties; Journal of Solid State Chemistry III, pgs. 390-396 (1994).*
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